UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ELEKTRA PRINTZ GORSKI Plaintiff v. WHOLE FOODS MARKET, INC. AND WHOLE FOODS MARKET GROUP, INC. Defendants	15 Civ. 2983 (AJN) (JLC) **NOTICE OF MOTION TO DISMISS UNDER RULE 12(b)(2) AND MOTION TO STRIKE UNDER RULE 12(f)**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law, Declarations of Patricia D. Yost, dated June 26, 2015, and Christopher L. Graff, dated June 26, 2015 (including all exhibits attached thereto), and all prior pleadings filed in this action, Defendants by and through their undersigned counsel, will move this Court before the Honorable Alison J. Nathan, United States District Judge, at the United States Courthouse for the Southern District of New York, District of New York, 40 Foley Square, Courtroom 906, New York, NY 10007, pursuant to Federal Rule of Civil Procedure 12 as follows:

- Defendant Whole Foods Market, Inc. ("WFMI") will move the Court for an order dismissing the complaint against WFMI for lack of personal jurisdiction under Rule 12(b)(2); and

AUS 536419395v1

- Defendants WFMI and Whole Foods Market Group, Inc. ("WFMG") will move the Court for an order striking certain improper portions of the complaint under Rule 12(f).[1]

DATED: June 29, 2015

Respectfully submitted,

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[1] WFMI joins in the motion to strike *only if* the Court denies WFMI's motion to dismiss under Rule 12(b)(2), which the Court should decide first. *See* Fed. R. Civ. P. 12(g)(2) (requiring Rule 12 objections and defenses to be consolidated into a single motion).